

VZCZCXYZ0007
OO RUEHWEB

DE RUEHVJ #1705/01 3101201
ZNY SSSSS ZZH
O 051201Z NOV 08
FM AMEMBASSY SARAJEVO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 9222
INFO RUEHAS/AMEMBASSY ALGIERS 0005

S E C R E T SARAJEVO 001705

NOFORN
SIPDIS

DEPARTMENT FOR S/WCI (WILLIAMSON/VIBUL-JOLLES), EUR
(JONES), AND EUR/SCE (FOOKS/STINCHCOMB)

E.O. 12958: DECL: 11/05/2018
TAGS: [PGOV](#) [PINR](#) [PREL](#) [PTER](#) [BK](#) [AG](#)
SUBJECT: BOSNIA - S/WCI AMBASSADOR WILLIAMSON'S OCTOBER
27-29 CONSULTATIONS ON THE ALGERIAN 6

Classified By: DCM Judith Cefkin for reasons 1.4 (b) and (d).

11. (S/NF) SUMMARY: S/WCI Ambassador Clint Williamson visited Sarajevo October 27-29 to discuss the possible transfer to Bosnia of some of the "Algerian 6" (A-6) group of Guantanamo detainees. Williamson met with Prime Minister Nikola Spiric, Minister of Security Tarik Sadovic, Foreign Minister Sven Alkalaj, Minister of Justice Barisa Colak, and the Director of the Bosnian Intelligence Service Almir Dzuvo. In all meetings Williamson encouraged the Bosnians to evaluate each individual case on its own merits and stressed that the USG will provide as much information as possible to help the Bosnian government make its decision. He expressed the hope that the Bosnians will speed the process by evaluating possible security guarantee measures at the same time they deliberate on whether to take back the detainees. On the whole, Bosnian officials appeared willing to work constructively with the USG on this issue, but most were hesitant to predict whether Bosnia would ultimately accept the detainees. All interlocutors pledged to deal with the issue discreetly, but several noted that opposition leader Zlatko Lagumdzia had learned that discussions were taking place on the A-6 issue and had divulged this during a parliamentary debate on October 29. Although none of the interlocutors openly spoke to the press about the subject of the meeting, several newspapers have run stories claiming to have reliable information that the resolution of the Algerian six issue was discussed during Williamson's meetings. END SUMMARY

Four of the A-6 Eligible for Release

12. (S/NF) Ambassador Williamson told his Bosnian interlocutors that the Department of Defense had determined that four of the so-called "Algerian 6" Guantanamo detainees who were rendered from Bosnia in 2002 might soon be eligible for transfer out of Guantanamo. This was under consideration as part of the ongoing effort to reduce the detainee population and was based on the continuing assessments of threats posed by the remaining detainees. (Note: Three of these detainees-- Muhammed Nechla, Mustafa Ait Idir and Boudella al-Haj--currently hold Bosnian citizenship. The fourth, Lakhdar Boumediene, lost his Bosnian citizenship as a result of a review by a Bosnian Citizenship Review Commission. The four also all hold Algerian citizenship. End note.) Williamson said the USG encouraged the Bosnian government to consider each case on its individual merits and to deal with each detainee as appropriate. If Bosnia could accept detainees, the USG would ask for assurances that they would be treated humanely (Williamson noted that in light of Bosnia's human rights record, this was not an issue of significant concern) and that security measures would be put in place to reduce the chances that they would commit terrorist acts in the future. These security guarantees

would probably take the form of monitoring by security and police services and, if permitted by Bosnian law, some restrictions on international travel.

¶13. (S/NF) Williamson asked Bosnian security officials to evaluate possible security measures at the same time as the government deliberated on whether or not to accept detainees, so as not to unduly prolong the transfer process. He noted that the USG would provide all the information it could to the Bosnians about these cases and that we could facilitate travel of Bosnian officials if they wanted to interview detainees before a transfer was implemented. In response to suggestions from several Bosnian interlocutors, Williamson said the USG would provide the request for transfer to Bosnia in writing in the form of a letter or diplomatic note.

Algeria Only Accepts Those Who Want to Return

¶14. (S/NF) In response to questions from Bosnian officials as to whether Algeria would accept any of the detainees, Williamson noted that when he discussed Guantanamo detainees with Algerian officials they said they would only accept Algerian detainees who voluntarily elected to return to Algeria. Up until now, all A-6 detainees have said they wanted to return to Bosnia. However, Williamson said that if Bosnia could not accept particular individuals (for example Boumedienne because he lost his Bosnian citizenship), this could serve as a basis for renewing discussions with Algeria.

Harder for Bosnia to Accept a Non-Citizen

¶15. (S/NF) All of Williamson's interlocutors said the Bosnian government would seriously consider the possibility of transfer, and one said that Bosnia would likely accept some of the detainees. However, all noted that the decision would be made by the Council of Ministers, and several alluded to past difficulties the Council had had in agreeing on a "roadmap" for dealing with the A-6 issue, in part because of conflicts between Prime Minister Spiric and Security Minister Sadovic. Several suggested that Bosnia was less likely to accept Boumedienne than the others because he has lost his citizenship.

Previous U.S. Representations on the A-6 were Problematic

¶16. (S/NF) In the various meetings with Bosnian officials, Williamson explained the ongoing court process relative to the A-6. He indicated that, in the course of the judicial proceedings, a number of documents which detail discussions that took place between the U.S. and Bosnian governments in 2002 would become public, as would internal communications within the USG regarding the A-6. Williamson stated that certain allegations made against the A-6, and communicated to the Bosnian government at the time, had never been adequately substantiated. The Bosnian officials, while recognizing the post-9/11 environment in which the discussions took place, said that the U.S. had placed Bosnia in a difficult position by pushing first for the transfer of these individuals and now for their return to the country.

Lagumdzia Mentions the A-6 in Parliamentary Debate

¶17. (S/NF) All interlocutors pledged to deal with the issue discreetly, but several noted that opposition leader Zlatko Lagumdzia had learned that discussions were taking place on the A-6 issue and had divulged this during a parliamentary debate on October 29. Although none of the interlocutors openly spoke to the press about the subject of the meeting, several newspapers have run stories claiming to have reliable information that the resolution of the Algerian six issue was discussed during Williamson's meetings in Sarajevo.

Meeting With Prime Minister Spiric

¶8. (S/NF) Prime Minister Spiric was agitated at the beginning of his meeting because he had just returned from the parliamentary session in which opposition leader Zlatko Lagumdzia divulged that Williamson would be discussing the A-6 with members of the government. Spiric complained that Lagumdzia had received this information from members of the intelligence service (note: Williamson had met the previous day with Intelligence Service Director Almir Dzuvo. End note) who were not authorized to disclose this to someone outside the government. Spiric was particularly upset that the service had not briefed him or other members of the government but was communicating with the opposition. Thus, he was caught unawares in a session broadcast live on national television.

¶9. (S/NF) However, Spiric's overall attitude during the meeting was constructive. He said he was "open" on the A-6 issue, but that he needed more information. He said that when the six were transferred out the U.S. and Bosnia had "worked together" and that we would have to do the same now, but he argued that whatever decision was made about the A-6 would be damaging to Bosnia. If some of the A-6 returned to Bosnia, he said, "wild stories" would circulate about the crimes they might have committed. If the A-6 were not allowed to return, Bosnia would be seen as a country that violates the rights of citizens (adding that it would be forgotten that the A-6 might have received citizenship in a shady way). Spiric said he would ask all ministries to take a serious approach to this issue, and noted that he understood the issue needed to be resolved quickly. However, he argued that Minister of Security Sadovic frequently fails to find common ground with other ministers and could create problems in the discussions.

Meeting With Minister of Security Sadovic

¶10. (S/NF) Minister of Security Sadovic displayed a considerable degree of bitterness during his meeting. He argued that the Bosnian Supreme Court had acquitted the Algerians but they were arrested anyway, and said the Bosnian politicians who agreed to transfer the A-6 to U.S. custody

lost the following election in part because of that decision.

He added that because of U.S. pressure at the time, Bosnian officials were forced to violate their own law in dealing with these individuals. Sadovic said the Bosnian government had tried to develop a "roadmap" for the return of the A-6, but had failed because they could not convince the U.S. government that members of this group would not pose a threat. He noted that some members of the A-6 had lost their citizenship while those who retained it had been determined by the Bosnian intelligence service to be "threats to national security." He asked rhetorically how could the USG ask now that such people be transferred to Bosnia.

¶11. (S/NF) However, Sadovic became somewhat more constructive as the meeting went on. He said the Bosnian government was in general committed to accepting the return of nationals who reside illegally elsewhere. In addition, if the Bosnian intelligence service were to find that the detainees with Bosnian citizenship no longer posed a threat to national security this would remove a "big barrier" to their return. He said Algerians who had lost their Bosnian citizenship should, by the logic of the situation, apply to return to Algeria. However, he noted that the Bosnian government would have to check whether the Algerians who lost their citizenship had exhausted all their appeals on this issue. He said the Bosnian government had never discussed with Algerian officials the possibility of the A-6 returning to Algeria.

¶12. (S/NF) Regarding security measures for the Algerians if they were to return to Bosnia, Sadovic was somewhat cynical of U.S. motives. He said that when this issue was discussed in the past, U.S. demands for security measures were too onerous and were inconsistent with Bosnian law. While

continuing to express skepticism, he said that certain steps could possibly be undertaken including surveillance by the intelligence service or police, but these measures were permissible only for a limited time period and with a court order. Similarly, passports could only be taken from them to restrict travel on the basis of a court order.

Foreign Minister Alkalaj

¶13. (S/NF) Foreign Minister Alkalaj told Williamson that the Council of Ministers as a whole would make the decision on this issue with the Foreign Ministry largely serving as a conduit of information between the U.S. and Bosnian governments. He said the Council would understand the urgency of the issue and take it up quickly. He expressed his personal view that Bosnia would likely take back some of the Algerian detainees. "The legal status is clear," he said, and, as a result, Croat and Serb ministers were unlikely to raise major objections. Alkalaj added that he had had one general conversation with the Algerian Foreign Minister about the case in September of 2007. At that time the Algerian Foreign Minister said that he could, in principle, accept the possibility of some of the A-6 returning to Algeria.

Justice Minister Colak

¶14. (S/NF) Justice Minister Colak stressed that the Council of Ministers as a group would make the decision on return of detainees with PM Spiric and Minister of Security Sadovic playing the biggest roles. Colak did not express strong views about the case, but noted that the Council of Ministers had been unable to agree on a "roadmap" for dealing with this issue in the past, largely, he said, because Spiric and Sadovic had been fighting over who would take the leading role on the issue. Like Sadovic, Colak said that a court would have to make a decision on whether travel restrictions could be imposed.

OSA Director Dzuvo

¶15. (S/NF) The Director of the Bosnian Intelligence Service (OSA), Almir Dzuvo, said he believed the detainees were clearly linked to criminal (note: by which he seemed to mean terrorist. End note) organizations, and he expressed concern that they would "infect" the Islamic community in Bosnia and further radicalize it if they returned. However, he pledged full cooperation if the political decision was made by the Council of Ministers to accept detainees. Moreover, since it was now clear that the U.S. would like Bosnia to accept some detainees, he conveyed a certain sense of inevitability that

it would happen. Dzuvo said the intelligence service would do what it could to monitor the detainees if they returned. However, he said it would be difficult to restrict them from traveling. Dzuvo said he hoped to talk to his counterpart in the Algerian intelligence service about these cases, but he expressed skepticism that the Algerians would be willing to accept any of the A-6 detainees.

Comment

¶16. (S/NF) On the whole, Bosnian officials appeared willing to work with the USG to resolve this issue. This may be in part because they do not see other alternatives, at least for those detainees who have Bosnian citizenship. However, the Council of Ministers was unable to achieve consensus in the past on how to deal with the detainees, and this issue may become politicized. Despite Sadovic's embittered questions directed at the USG during the meeting, he may well become an advocate for accepting the detainees. He is a strongly nationalist Bosniak, and has resisted deporting radical members of the Islamist community here when the security

services have sought to do so. Spiric's ultimate attitude is harder to predict. Although his attitude in the meeting was reasonably constructive, he may come under pressure from fellow Serbs in his party to resist accepting the detainees in order to paint the Bosniaks as the politicians who are overly willing to allow the return of "terrorists." In any case, the issue is unlikely to be resolved quietly-it will almost certainly attract huge media attention and generate some bitter political controversies.

ENGLISH